

MAY 10 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jenny A. Tyler

Attorney Docket No.: ORTHP001

Application No.: 09/828,070

Examiner: Lin, Jeoyuh

Filed: April 5, 2001

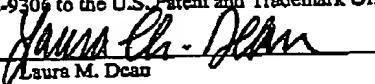
Group: 3737

**Title: METHOD FOR DIAGNOSIS OF AND
PROGNOSIS FOR DAMAGED TISSUE**

Confirmation No.: 7266

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 703-872-9306 to the U.S. Patent and Trademark Office on May 10, 2004.

Signed: 

Laura M. Dean

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This response is submitted to the Office Action dated February 12, 2004.

Remarks/Arguments begin on page 2 of this paper.

RECEIVED
CENTRAL FAX CENTER

BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040
Telephone: (650) 961-8300 Facsimile: (650) 961-8301
www.beyerlaw.com

MAY 10 2004

OFFICIAL

FACSIMILE COVER SHEET

May 10, 2004

Receiver: Examiner Jeoyuh Lin - Group Art Unit 3737

TEL #:

FAX #: (703) 872-9306

Sender: Henry K. Woodward

Our Ref. No.: ORTHP001

Re: 09/828,070

Pages Including Cover Sheet(s): 7

MESSAGE:

Please see attached response.

CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copying of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jenny A. Tyler

Attorney Docket No.: ORTHP001

Application No.: 09/828,070

Examiner: Lin, Jeoyuh

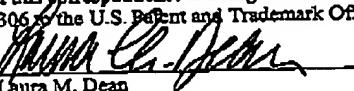
Filed: April 5, 2001

Group: 3737

Title: **METHOD FOR DIAGNOSIS OF AND
PROGNOSIS FOR DAMAGED TISSUE**

Confirmation No.: 7266

CERTIFICATE OF FACSIMILE TRANSMISSION
 I hereby certify that this correspondence is being transmitted by facsimile to fax
 number 703-872-9306 to the U.S. Patent and Trademark Office on May 10, 2004.

Signed: 

Laura M. Dean

RESPONSE C TRANSMITTAL

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

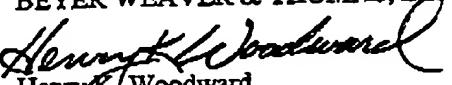
Transmitted herewith is an Amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims After Amendment		Highest Previously Paid For	Present Extra	Small Entity Rate Fee	Large Entity Rate Fee
Total Claims	17	MINUS	20	00	x 9 = 0	x 18 = 0
Independent Claims	03	MINUS	03	00	x 42 = 0	x 84 = 0
Multiple Dependent Claim Present and Fee Not Previously Paid					\$140.00	\$280.00
				Total	\$0	\$0

Applicant(s) believe that no (additional) Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 500388.

Please charge the required fees, or any additional fees required to facilitate filing the enclosed response, to Deposit Account No. 500388 (Order No. ORTHP001).

Respectfully submitted,
 BEYER WEAVER & THOMAS, LLP

 Henry K. Woodward
 Reg. No. 22,672

P.O. Box 778
 Berkeley, CA 94704-0778